

REMARKS

At the outset, the Examiner is thanked for the review and consideration of the pending application. The Office Action dated December 8, 2009 has been received and its contents reviewed. Reconsideration of the pending application is respectfully requested in view of the following observations.

This application is in immediate condition for allowance.

The Examiner has objected to claims 2, 3, 10, 11, 14, and 26-31 because “or” should be removed and the following limitation amended as, “recognizing a recording position in a radial direction of the optical disc and [[/or]] a position in a track direction of said plurality of marks as the BCA code.”

Claims 2, 3, 10, 11 and 14 have been amended as noted above to remove, “or.”

The Examiner has rejected claims 26-31 as unpatentable over the combination of Mochizuki and Wei.

Claims 26-31 are herein cancelled.

There are no further prior art rejections and the Examiner has indicated that the remaining claims 2, 3, 10, 11, 14, 18 and 21-23 are allowed (Office Action at pages 7-8); therefore, the application is believed to be in immediate condition for allowance.

The above amendments are made to address the Examiner’s objections as noted. No new issues are believed to be raised and no further search and consideration is believed necessary. Therefore, Applicant does not include herewith a Request for Continued Examination.

1. Amendments and Support for Same.

By this Response, claims 2, 3, 10, 11 and 14 are hereby amended to address the Examiner’s objections to these claims. No new matter is added. Claims 26-31 are hereby cancelled; no claims are hereby newly added. Accordingly, claims 2, 3, 10, 11, 14, 18, 21, 22 and 23 are currently pending.

2. Claim Objections.

The Examiner has objected to claims 2, 3, 10, 11 and 14 for reasons as already addressed above and as noted in the Office Action.

Claims 2, 3, 10, 11 and 14 have been amended as noted.

Withdrawal of the objection to claims 2, 3, 10, 11 and 14 is most respectfully requested.

3. Claims 26-31 are rejected under 35 U.S.C. §103(a) as unpatentable over United States Patent No. 7,020,780 B1 (Mochizuki) in view of United States Patent Application Publication 2006/0265752 A1 (Wei et al.).

Claims 26-31 are cancelled.

The rejection of claims 26-31 is now moot.

4. Conclusion.

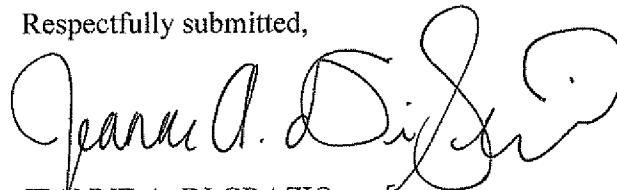
As a result of the amendment to the claims, and further in view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is respectfully requested that every pending claim in the present application be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown below.

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Respectfully submitted,



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